

Change of Placement - Court Requirements

(Revised 04/05/24)

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Related Policies

Additional information can be found in the following policies:

- COP Requirements When Notice is Given to Move Child/Youth.
- Ex Parte Requests
- Petitions-387
- Placement Levels
- Placement of a Child in Mexico or Outside the United States.
- Types of Hearings - Special

Forms

The following forms are referenced in this policy:

- Ex Parte Application and Order (CWS/CMS Court Section)
- 07-65 Placement Information and Payment Authorization (CWS/CMS Template)
- 04-168A Change of Placement (COP) Ex-Parte (CWS/CMS Template)
- 04-627 Level Of Care (LOC) Rate Referral and Determination Form

Policy

This policy outlines court requirements when a child/youth has had a change of placement (COP). For additional COP requirements and information on placement preservation strategies and notice requirements, see COP Requirements When Notice is Given to Move Child/Youth. For information on placement levels, see Placement Levels policy. For specific information on placing a children/youth outside of the United States, refer to Placement of a Child in Mexico or Outside the United States.

Policy (cont.)

The table below outlines requirements to be completed by the assigned primary SW for COPs based on the level of the placement change:

If	Requirements
COP to a Higher Level of Placement	<ul style="list-style-type: none">• File a 387 Petition (unless parental rights have been terminated).• Notify parties of the COP as outlined COP Requirements When Notice is Given to Move Child/Youth.• Complete and submit an 07-65 to the registrar within one business day.
COP to the Same or Lower Level of Placement	<ul style="list-style-type: none">• Complete and submit an 04-168A COP Ex Parte within one business day of the placement change. <p>NOTE: see Ex Parte Requests for information on noticing requirements when filing an Ex Parte.</p> <ul style="list-style-type: none">• Notify parties of the COP as outlined COP Requirements When Notice is Given to Move Child/Youth.• Complete and submit an 07-65 to the registrar within one business day.

COP with Parents

The table below describes the requirements to be completed by the assigned primary SW for COPs with parents:

Prior Placement Level	New Placement Level	Required
Parent	Anywhere but another parent	<p>If post-disposition:</p> <ul style="list-style-type: none">• File a Petitions - 387 as soon as possible.• Notify parties of the COP as outlined COP Requirements When Notice is Given to Move Child/Youth.• Complete and submit an 07-65 to the registrar within one business day.• Change Service Component from FM to FR and use the date of the 387 Detention Hearing.

**COP with Parents
(cont.)**

Prior Placement Level	New Placement Level	Required
Parent	Anywhere but another parent	<p>If post-disposition:</p> <ul style="list-style-type: none"> • File a Petitions - 387 as soon as possible. • Notify parties of the COP as outlined COP Requirements When Notice if Given to Move Child/Youth. • Complete and submit an 07-65 to the registrar within one business day. • Change Service Component from FM to FR and use the date of the 387 Detention Hearing.
Any out-of-home placement	60-day trial visit with parent	<p>If the last court order gave the SW discretion to begin a 60-day trial visit, review the minute order to determine if notice or concurrence by minor's attorney is required.</p> <ul style="list-style-type: none"> • If concurrence is required: <ul style="list-style-type: none"> ○ SW must first obtain concurrence of the child/youth's attorney before starting the trial visit. • If notice is required: <ul style="list-style-type: none"> ○ SW must notify the child/youth's attorney • Submit a 04-168A COP Ex Parte to court once notice or concurrence by minor's attorney is completed with required information outlined here. • Complete and submit a 07-65 within one business day and indicate that it is a 60-day trial visit. <p>If the court has not given discretion for a 60-day trial visit:</p> <ul style="list-style-type: none"> • Call the County Counsel (CC) Team secretary to request a Special Hearing prior to change of placement. • If Special Hearing is set, write a court report with the required information outlined here. • If court orders a 60-day trial visit at Special Hearing, complete and submit the 07-65 within one business day of the placement move. <p>NOTE: a court ordered placement must be made by the 60th day of the trial visit. See next row for instructions on requesting a court ordered placement following a trial visit.</p>

**COP with Parents
(cont.)**

Prior Placement Level	New Placement Level	Required
60-day trial visit with parent	60-day visit is over and child/youth to remain with parent	<ul style="list-style-type: none"> Submit an Ex Parte Application and Order court report with the following information: <ul style="list-style-type: none"> Request that the court order placement with the parent. Summary of trial visit (date trial visit started, any concerns, etc.) Complete and submit 07-65 within one business day indicating the trial visit is over and child/youth is placed with parent. Change Service Component from FR to FM or from PP to FM and use date visit became a placement.
60-day trial visit with parent	Child/youth moved from parent's home during trial visit	<ul style="list-style-type: none"> Submit 04-168A COP Ex Parte including all required information. Notify parties of the COP as outlined COP Requirements When Notice is Given to Move Child/Youth. Complete and submit an 07-65 to the registrar within one business day. Submit 04-627 referral.

**Information
Required for COP Ex
Partes and 387
Petition Court
Reports**

The following information is required in all 387 petition court reports and 04-168A COP Ex Parte:

- Caregiver's first name and first initial of last name, and new type of placement type.
NOTE: Caregiver name and placement information is confidential. The SW will write the caregivers address on a separate page and attach it to the report to be provided to the court and child/youth's attorney only.
- Placement preservation strategy outcome (for out of home placements).
- Date change of placement occurred or will occur.
- Brief description of reason for change of placement.
- If the change results in separation from a sibling, or a change in parent or sibling visitation, state the plan for resolving this issue.
- If child/youth is school age, indicate if the COP will result in a change of school and why/how this meets the child/youth's needs (e.g., *"David will not be able to attend his school of origin as he is being placed with his grandmother who resides 45 minutes away from his school of origin. The family and David requested placement with the grandmother, and it meets his needs."*)
- If starting a 60-day trial visit, include the following:
 - Date court gave the SW discretion, and the date the trial visit will begin.
 - How safety issues have been addressed.
 - Summary of the parent's progress.

NOTE: If the court made an order that the child/youth was to remain in their school of origin and the change of placement results in a move to a different school, then a Special Hearing is required. Contact CC immediately and refer to Types of Hearings - Special.

**COPs to Polinsky
Children’s Center
(PCC)**

The table below describes the requirements to be completed by the assigned primary SW for COPs to A.B. Polinsky Children’s Center (PCC).

NOTE: PCC is not a placement for children/youth and is only a temporary detention.

Prior Placement Level	To	Required
Parent (child/youth is already a dependent)	Temporary detention at PCC	<ul style="list-style-type: none">• File a Petitions - 387 (unless parental rights have been terminated).• Notify parties of the COP as outlined COP Requirements When Notice if Given to Move Child/Youth.• Change Service Component in CWS/CMS from FM to FR. (Use 387 Detention Hearing date.) <p>NOTE: PCC Registrar will enter the child/youth’s entry in CWS/CMS.</p>
Any out-of-home placement	Temporary detention at PCC	<ul style="list-style-type: none">• Complete and submit a 04-168A COP Ex Parte to court within one business day of the change of placement and request a 15-day review.• Notify parties of the COP as outlined COP Requirements When Notice if Given to Move Child/Youth.• Complete and submit an 07-65 to the registrar within one business day. <p>NOTE: If it is later determined that the child/youth needs a higher placement level, then the SW will file a Petitions - 387.</p>

Alignment with SET

This policy aligns with the SET [Value 1](#) of open communication with the child, youth and family, and [Value 5](#) of maintaining a strong working relationship with the legal system.
